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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/994,047 12/19/97 GARRISON

D 33500-00001

EXAMINER

TM02/0504

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ROBINSON BOYCE A  
ART UNIT PAPER NUMBER

2163  
DATE MAILED:

05/04/01

*B*

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

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# Office Action Summary

Application No.  
**08/994,047**

Applicant(s)  
**Garrison et al.**

Examiner  
**Akiba Robinson-Boyce**

Art Unit  
**2163**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Feb, 14, 2001
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 13-28 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 13-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 and 13-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kight et al. (U.S. Patent 5,383,113) in further view of Pollin (U.S. Patent 5,504,677).

As per claims 1, Kight et al. discloses a computer implemented system which uses the methods of:

establishing a database including payee records...(Col. 2, lines 40-41);

receiving a payor's payment information... (Col. 2, lines 41-45);

processing the payment information (Col. 2, lines 5-11);

Kight, et al fails to teach the following, however Pollin discloses:

accessing the database to locate the payee record having the payee zip code corresponding to the identified eleven-digit zip code...(Fig. 2, [208], Col. 17, lines 9-19, [where the examiner is interpreting the 11-digit zip code of the present invention to be the "postal zone code" of Pollin]).

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It would have been obvious to one of ordinary skill in the art to access the database to locate the payee record having the payee zip code corresponding to the identified eleven-digit zip code in order to ultimately retrieve the correct information for a particular user.

As per claims 2, 17, and 25, Kight et al. discloses a method where:

the received payment information includes the received payee zip code...the processed payment information includes only a portion of the other payee address information... (Col 2., lines 45- 46).

As per claim 3, Kight et al. fails to disclose the following, however Pollin teaches:

the received payment information includes a payee city and a payee state; and the processed payment information...(Fig. 4)

It would have been obvious to one of ordinary skill in the art at the time of the applicants invention to include the payee's city and the payee's state in the received and the processed payment information in order to complete the address portion of the payment information.

As per claims 4, 5, 18, 19 , 26, 27, Kight et al. discloses a method where:

each payee record has a payee name...the received payment information includes...(Col. 2, lines 45-46);

Kight, et al fails to teach the following, however Pollin discloses:

the database is accessed to locate the payee record having the payee name and the zip code corresponding to only a portion of the received payee name and the identified eleven digit

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zip code...locating the payee record by matching the identified eleven digit zip code with the payee record zip code.../compare the portion of the payee name.../the second station is further configured to compare the portion of the payee name....(Col. 17, lines 12-19, [where the examiner is interpreting the 11-digit zip code of the present invention to be the "postal zone code" of Pollin], Col. 12, lines 19-27 w/ Col. 8, lines 26-28);

It would have been obvious to one of ordinary skill in the art at the time of the applicants invention to use the eleven digit zip code to access the payee record because the code identifies where the payment should be made and is associated with a specific payee.

As per claim 6, Kight et al. discloses the steps of:

making a payment to the payee after locating the payee record...(Col. 2, lines 12-15).

As per claim 7, Kight et al. discloses a method wherein:

the payment is an electronic payment...(Col. 8, lines 52-54).

As per claims 10-12, 16 and 22, Kight et al. discloses a computer implemented process comprising:

receiving name...associated with a merchant (Col. 3, lines 32-35);

accessing a database...(Col.4, lines 5-7).

a storage device...(Col.5, lines 13-14);

a data input...(Col.2, lines 49-51);

a processor... (Col.4, lines 30-33).

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processor is further configured to retrieve payee records (Col. 4, lines 30-35).

computer readable storage...(Col. 5, line 13)

a computer program...(Col. 8, lines 39-43)

receive payment information ...(Col.3, lines 55-60)

process payment information...(Col.3, lines 63-66)

access a database if payee records...(Col. 4, lines 5-7).

a network (Fig. 1);

first station...(Col. 2, lines 40-51)

a second station...(Col. 4, lines 60-61 and lines 30-37).

Kight, et al fails to teach the following, however Pollin discloses:

accessing the database...corresponding to the eleven-digit zip code.../process the payment information...(Col. 17, lines 12-19, [where the examiner is interpreting the 11-digit zip code of the present invention to be the "postal zone code" of Pollin]).

It would have been obvious to one of ordinary skill in the art at the time of the applicants invention to access a database of payee records to locate a payee record corresponding to the eleven digit zip code because in order to deliver the payment to the correct entity regardless of any changes made, one would need to have some kind of identifier which would make the payment destination distinguishable.

As per claims 8, 14, 20 and 23, Kight et al. discloses a method wherein:

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the received payment information includes a payor account number.../the payment information includes a payor account number...(Col. 2, lines 65-67);

verifying that the account number...transforming the verified account number.../alteration rules...wherein the second station transforms the received payor account number../verify that the received account number conforms to validation rules...transform the verified account number into an altered...(Col. 3, lines 4-9, {validation rules correspond to comparing the correct routing and bank numbers, alteration rules correspond to correcting data entry}).

the processor is further configured to process the payment information...(Col. 4, lines 60-68);

Both Kight, et al and Pollin teach the used of storage deices in their system (See Kight, et al, Fig. 1 [50] and Pollin Col. 13, lines 35-41), however, they both fail to teach the following:

the storage device is further configured to store verification rules...

Official notice is taken that it is old and well known to store rules in a storage device. It would have been obvious to one of ordinary skill in the art to store rules in a storage device in order to show consistency when performing the validation process. This way, the same rules for each situation would apply.

As per claims 9, 15, 21 and 24, both Kight et al. and Pollin fail to teach the following method wherein:

the payee has a plurality of remittance centers...(Col. 4, lines 27-30);

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processing the account number to identify one of the plurality of remittance centers.../the processor is further configured to process the payor account number.../process the verified account number.../identify a single remittance center...(Col. 18, lines 30-37 w/ Col. 7, lines 24-33)

directing payment.../direct payment...(Abstract, lines 14-18)

It would have been obvious to one of ordinary skill in the art at the time of the applicants invention to include the identification of the remittance center through the payor's account number in order to guarantee that a payment coming from a particular payor would go to the correct remittance center.

As per claim 13, Kight et al. discloses that his system will:

direct a payment to the payee in accordance with the payment information (Col. 2, lines 12-15).

As per claim 28, Kight, et al discloses:

establishing a database...(Col. 2, lines 40-41);

receiving a payee name information... (Col. 2, lines 41-45);

determining if the stored payee name information...(Col. 2, lines 45-47, Col. 4, lines 23-26 and 33-35);

directing payment...(Col. 4, lines 23-28, Col. 7, lines 3-25);

processing the received payee address information...(Col. 2, lines 5-11);

Kight, et al fails to teach the following, however Pollin discloses:



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determining if the stored payee zip code....(Fig. 2, [208], Col. 17, lines 9-19, [where the examiner is interpreting the 11-digit zip code of the present invention to be the "postal zone code" of Pollin]).

directing payment in accordance with a second of the plurality of payee records...(Abstract, lines 10-16)

It would have been obvious to one of ordinary skill in the art to determine if the stored payee zip code in any of the plurality of payee records corresponds to the identified eleven-digit zip code and directing payment if the stored payee zip code corresponds to the identified eleven-digit zip code in order to ultimately retrieve the correct information for a particular user.

As per claims 1-11 and 13-28, both Kight, et al and Pollin fail to teach that the payment information is processed in order to identify an 11-digit zip code. However, official notice is taken that it is old and well known in the payment remittance processing art to process payment information to identify an 11-digit zip code. It would have been obvious to one of ordinary skill in the art to process payment information to identify an 11-digit zip code because this is a traditional and common process used for identifying the points for delivered items and would assist in the correct routing of payments.

***Response to Arguments***

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3. Applicant's arguments with respect to claims 1-11 and 13-28 have been considered but are moot in view of the new ground(s) of rejection.

As a result of the applicant's argument over the Pintsov, et al reference, the examiner has substituted the Pollin reference in place of Pintsov, et al. Claims 1-27 are now rejected under 35 U.S.C. 103 as discussed above in the preceding paragraphs.

#### *Conclusion*

4. An inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba Robinson-Boyce whose telephone number is (703) 305-1340. The examiner can normally be reached on Monday-Friday from 6:30AM-3:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

An inquiry of a general nature or relating to the status of this application proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

**Akiba Robinson-Boyce**

**Patent Examiner**

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**April 30, 2001**



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SUPERVISORY PATENT EXAMINER  
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